

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

4D FACTORY, INC., et al.,

Chapter 11

(Subchapter V)

Case No.: 23-11618 (MEW)

(Jointly Administered)

Debtors.<sup>1</sup>

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THE 4D FACTORY LLC,

Plaintiff,

-against-

Adv. Pro. No. 24-01319 (MEW)

MARK LONG, COLIN FORAN,  
NAOMI LACKAFF, AARON NONIS,  
DON NORBURY, MARK YEEND,  
CALVIN ZHOU, GRIFFIN GAMING  
PARTNERS II, L.P., GRIFFIN GAMING  
PARTNERS II SIDE FUND, L.P., POLYCHAIN  
VENTURES II LP, POLYCHAIN VENTURES II  
(PARALLEL) LP, PIERRE-EDUARD  
PLANCHE, BENJAMIN PERSZYK,  
JOSH ROSENTHAL,

Defendants,

and

NEON MACHINE, INC., ARGON PROTOCOL  
FOUNDATION, ARGON ASSET VENTURES  
CORP.

Nominal Defendants.

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GRIFFIN GAMING PARTNERS II, L.P., GRIFFIN  
GAMING PARTNERS II SIDE FUND, L.P.,  
POLYCHAIN VENTURES II LP, POLYCHAIN  
VENTURES II (PARALLEL) LP,

Counterclaim-Plaintiffs,

v.

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtors' federal tax identification number, are 4D Factory Inc. (6770), and The 4D Factory LLC (8935).

THE 4D FACTORY LLC,

Counterclaim-Defendant.

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GRiffin GAMING PARTNERS II, L.P., GRIFFIN  
GAMING PARTNERS II SIDE FUND, L.P.,  
POLYCHAIN VENTURES II LP, POLYCHAIN  
VENTURES II (PARALLEL) LP,

Third-Party Plaintiffs,

v.

CORT JAVARONE, SCOTT HONOUR, and STEVE  
HOROWITZ,

Third-Party Defendants.

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**ORDER GRANTING MOTION TO AMEND**

BEFORE THE COURT is The 4D Factory LLC's Motion for Leave to File an Amended Complaint. This motion was submitted for consideration without oral argument. The Court has reviewed the motion and the file therein, and is fully informed. Pursuant to a stipulation of the Parties, the Second Amended Complaint at ECF No. 48, Exhibit 1 is unopposed.

ACCORDINGLY, IT IS HEREBY ORDERED:

1. Plaintiffs' Motion for Leave to File Amended Complaint is GRANTED.
2. The Clerk of Court is directed to file Plaintiffs' Second Amended Complaint, which is attached as Exhibit 1 to ECF No. 48.
3. The hearing on the Motion for Leave to File Amended Complaint currently scheduled for September 12, 2024 is no longer necessary and is therefore CANCELLED.

Dated: September 4, 2024  
New York, New York

s/Michael E. Wiles

THE HONORABLE MICHAEL E. WILES  
UNITED STATES BANKRUPTCY JUDGE